



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 03-1119)

In the Application of:)
)
Wu et al.)
)
Serial No.: 10/749,323)
)
Filed: December 31, 2003)
)
Title: Astragalus Radix and Codonopsis Pilosulae)
Radix Mixed Extract for Inhibiting)
Carcinogenesis and Metastasis)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

In regard to the above identified application:

1. We are transmitting herewith the attached:
 - a. Information Disclosure Statement
 - b. Form PTO-1449
 - c. Cited References
 - d. Postcard
2. With respect to additional fees:
 - a. X Attached is a check in the amount of \$-0-
3. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.
4. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 30th day of March 2004.

By:

C. BL Hughes
A Blair Hughes
Reg. No. 32,901

McDonnell Boehnen Hulbert & Berghoff LLP
300 S. Wacker Dr.
Chicago, Illinois 60606
312/913-0001



PATENT

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INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. Section 1.97-1.98, applicants wish to make the following references of record in the above-identified application. These references may be material to the Examiner's consideration of the presently pending claims. Copies of the references cited below are enclosed along with a completed Form-1449.

U.S. Patents

	<u>Patent No.</u>	<u>Inventor</u>	<u>Issue Date</u>
1.	4,618,495	Okuda et al.	October 21, 1986
2.	4,843,067	Liu	June 27, 1989
3.	4,999,343	Liu	March 12, 1991
4.	5,268,467	Verbiscar	December 7, 1993

McDONNELL BOEHNEN HULBERT & BERGHOFF
300 South Wacker Drive, 32nd Floor
Chicago, Illinois 60606

Foreign Patents

	<u>Patent Number</u>	<u>Publication Date</u>
1.	EP 441 278 A1	August 14, 1991
2.	WO 94/04162	March 3, 1994
3.	WO 01/00682	January 4, 2001
4.	CN 1075886A (with abstract)	September 8, 1993
5.	CN 1100654A (with abstract)	March 29, 1995
6.	CN 1106274A (with abstract)	August 8, 1995
7.	CN 1205880A (with abstract)	January 27, 1999
8.	CN 1330082A (with abstract)	January 9, 2002
9.	JP 5039305 (with abstract)	February 19, 1993

Printed Publications

1. Lau, et al., "Chinese Medicinal Herbs Inhibit Growth of Murine Renal Cell Carcinoma", *Cancer Biotherapy*, Vol. 9, No. 24, pp. 153-161 (1994).
2. Rittenhouse, et al. "Chinese Medicinal Herbs Reverse Macrophage Suppression Induced by Urological Tumors, *The Journal of Urology*, Vol. 146, pp. 486-490 (1991).
3. Wong et al., "Chinese Medicinal Herbs Modulate Mutagenesis, DNA Binding and Metabolism of Aflatoxin B₁" *Mutation Research*, Vol. 279, pp. 209-216 (1992).
4. Tang et al., "Recent Development of Antitumor Agents from Chinese Herbal Medicines. Part II. High Molecular Compounds", *Planta Med.*, Vol. 69, pp. 193-201 (2002).

5. Xue, et al. "The Effect of Astragapolsaccharide on the Lymphocyte Proliferation and Airway Inflammation in Sensitized Mice", *Journal of Tongji Medical University*, Vol. 19, pp. 20-22 (1999).
6. Yoshida, et al. "Immunomodulating Activity of Chinese Medicinal Herbs and Oldenlandia Diffusia in Particular", *Int. J. Immunopharmac.*, Vol. 19, pp. 359-370, (1997)
7. Chen, "Experimental Studies on the Effects of Danggui Buxue Decoction on IL-2 Production of Blood-Deficient Mice", *Zhongguo Zhong Yao Za Zhi*, Vol. 19, pp. 739-741 (1994). (with abstract)
8. Shimizu, "An Acidic Polysaccharide Having Activity on the Reticuloendothelial System from the Root of Astragalus Mongholicus" *Chem. Pharm. Bull.* Vol. 39, pp. 2969-2972 (1991).
9. Wang, et al., "Immunomodulatory Effect of A Polysaccharide-Enriched Preparation of Cononopsis Polisula Roots", *Gen. Pharmac.* Vol. 27, pp. 1347-1350 (1996).
10. Shan, et al., "Stimulating Activity of Chinese Medicinal Herbs on Human Lymphocytes in Vitro", *International Journal of Immunopharmacology*, Vol. 21, pp. 149-159 (1999).
11. Chen et al., "The Effects of Chinese Herbs on Improving Survival and Inhibiting anti-ds DNA antibody production in Lupus Mice", *American Journal of Chinese Medicine*, Vol. XXI, pp. 257-262 (1993).
12. Zhang, et al. "Studies of Polysaccharides of Codonopsis Pilosula", *Zhong Zao Yao*, Vol. 18, pp. 2-4 (1987)

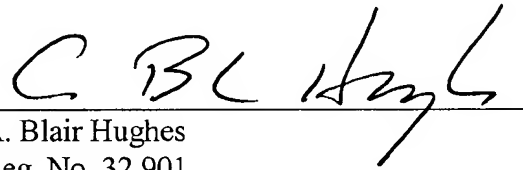
Statement of Relevancy

The Zhang et al. "Studies of Polysaccharides of Codonopsis Pilosula" Zhong Zao Yao, Vol. 18, pp. 2-4 (1987) is not provided in English. However, the relevancy of the reference is disclosed and discussed in the specification at page 4, lines 26-27 where it is indicated that Zhang et al. discloses a series of water-soluble polysaccharides such as CP-1, CP-2, CP-3 and CP-4 that have been isolated from the roots of *C. polisula*.

Respectfully submitted,
McDONNELL BOEHNEN HULBERT &
BERGHOFF LLP

Dated: March 30, 2004

By:



A. Blair Hughes
Reg. No. 32,901

FORM PTO-1449
(Rev. 2-32)

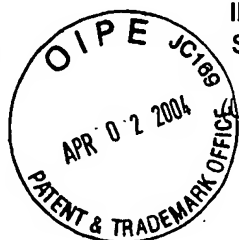
U.S. Department of Commerce
Patent and Trademark Office

Atty. Docket No.

03-1119

Serial No.

10/749,323



INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(Use several sheets if necessary)

Applicant:

Wu et al.

Filing Date:

December 31, 2003

Group:

U.S. PATENT DOCUMENTS

Examiner Initial		Document Number	Date	Name	Classes	Subclass	Filing Date if Appropriate
	✓	4,618,495	10/21/86	Okuda et al.			
	✓	4,843,067	6/27/89	Liu			
	✓	4,999,343	3/12/91	Liu			
	✓	5,268,467	12/7/93	Verbiscar			

FOREIGN PATENT DOCUMENTS

		Document Number	Date	Country	Class	Subclass	Translation	
							Yes	No
	✓	EP 441 278 A1	8/14/91	EP				
	✓	WO 94/04162	3/3/94	PCT				
	*	CN 1075886A (with abstract)	9/8/93	CN				
	*	CN 1100654A (with abstract)	3/29/95	CN				
	*	CN 1106274A (with abstract)	8/8/95	CN				
	*	CN 1205880A (with abstract)	1/27/99	CN				
	*	CN 1330082A (with abstract)	1/9/02	CN				
	*	JP 5039305 (with abstract)	2/19/93	JP				

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.

* Did not receive these patents.

FORM PTO-1449 (Rev. 2-32)	U.S. Department of Commerce Patent and Trademark Office	Atty. Docket No. 03-1119	Serial No. 10/749,323
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)			
		Applicant: Wu et al.	
		Filing Date: December 31, 2003	Group:

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc).

		Lau, et al., "Chinese Medicinal Herbs Inhibit Growth of Murine Renal Cell Carcinoma", <i>Cancer Biotherapy</i> , Vol. 9, No. 24, pp. 153-161 (1994).
		Rittenhouse, et al. "Chinese Medicinal Herbs Reverse Macrophage Suppression Induced by Urological Tumors, <i>The Journal of Urology</i> , Vol. 146, pp. 486-490 (1991).
		Wong et al., "Chinese Medicinal Herbs Modulate Mutagenesis, DNA Binding and Metabolism of Aflatoxin B ₁ " <i>Mutation Research</i> , Vol. 279, pp. 209-216 (1992).
		Tang et al., "Recent Development of Antitumor Agents from Chinese Herbal Medicines. Part II. High Molecular Compounds", <i>Planta Med.</i> , Vol. 69, pp. 193-201 (2002).
		Xue, et al. "The Effect of Astragalopolysaccharide on the Lymphocyte Proliferation and Airway Inflammation in Sensitized Mice", <i>Journal of Tongji Medical University</i> , Vol. 19, pp. 20-22 (1999).
		Yoshida, et al. "Immunomodulating Activity of Chinese Medicinal Herbs and Oldenlandia Diffusia in Particular", <i>Int. J. Immunopharmac.</i> , Vol. 19, pp. 359-370, (1997)
		Chen, "Experimental Studies on the Effects of Danggui Buxue Decoction on IL-2 Production of Blood-Deficient Mice", <i>Zhongguo Zhong Yao Za Zhi</i> , Vol. 19, pp. 739-741 (1994). (with abstract)
		Shimizu, "An Acidic Polysaccharide Having Activity on the Reticuloendothelial System from the Root of Astragalus Mongholicus" <i>Chem. Pharm. Bull.</i> Vol. 39, pp. 2969-2972 (1991).
		Wang, et al., "Immunomodulatory Effect of A Polysaccharide-Enriched Preparation of Cononopsis Polisula Roots", <i>Gen. Pharmac.</i> Vol. 27, pp. 1347-1350 (1996).
		Shan, et al., "Stimulating Activity of Chinese Medicinal Herbs on Human Lymphocytes in Vitro", <i>International Journal of Immunopharmacology</i> , Vol. 21, pp. 149-159 (1999).
		Chen et al., "The Effects of Chinese Herbs on Improving Survival and Inhibiting anti-ds DNA antibody production in Lupus Mice", <i>American Journal of Chinese Medicine</i> , Vol. XXI, pp. 257-262 (1993).
		Zhang, et al. "Studies of Polysaccharides of Codonopsis Pilosula", <i>Zhong Zao Yoa</i> , Vol. 18, pp. 2-4 (1987)

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